

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA**

**1) STEADFAST INSURANCE COMPANY,  
a subsidiary of ZURICH HOLDING  
COMPANY OF AMERICA, INC.**

**Plaintiff,**

**vs.**

**1) EAGLE ROAD OIL LLC,  
2) CUMMINGS OIL COMPANY,  
3) TERRITORY RESOURCES, LLC,  
4) ENERVEST OPERATING, LLC,  
5) PETRO WARRIOR, LLC,  
6) PETROQUEST ENERGY, LLC, and  
7) TRINITY OPERATING (USG) LLC,**

**Case No.: 18-cv-457-GKF-JFJ**

**Defendants.**

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**COMPLAINT**

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COMES NOW Plaintiff Steadfast Insurance Company (“Plaintiff” or the “Steadfast”), and for its Complaint against Defendants state:

**NATURE OF ACTION**

1. This pleading is based, to some degree, upon the personal knowledge of the Plaintiff, but is primarily based upon undersigned counsel’s investigation, which includes research of public documents, and interviews and testimony taken of geophysicists who worked in Oklahoma and have detailed knowledge of Oklahoma’s seismicity and causes thereof. Further, undersigned counsel has also retained an expert geophysicist that has conducted his own scientific research, which also supports the allegations made in this pleading.

2. By disposing of fracking wastewater deep into the earth, Defendants introduced contaminants into the natural environment that caused an adverse change to it in the form of unnatural seismic activity. In other words, due to Defendants' pollution of the environment they caused the human induced earthquakes at issue in this case.

3. This is an action to recover Plaintiff's payments of insurance proceeds to the Pawnee Nation, which suffered induced earthquake damages proximately caused by Defendants' pollution of the environment within and around Pawnee, Oklahoma, and through their disposal of fracking wastewater with disposal wells, which are the pollutants.

4. Defendants' pollution proximately caused the man-made earthquakes described in this Complaint, and which proximately caused property damages to Plaintiff's insured, the Pawnee Nation of Oklahoma ("Nation").

5. Based upon an insurance agreement between Plaintiff and the Nation, Plaintiff has paid \$324,29.98 for property damages sustained by the Nation. By this complaint, Plaintiff seeks to recover the sums it has paid to the Nation, which were damages proximately caused by the Defendants, and to enforce its rights of subrogation.

### **PARTIES**

6. Plaintiff Steadfast Insurance Company is a citizen of Illinois, and has its principal place of business at 1400 American Lane, Schaumburg, Illinois 60196-1056. Plaintiff operates as a diversified multiple lines insurance company, and as a subsidiary of Zurich Holding Company of America, Inc.

7. Defendant Eagle Road Oil, LLC ("Eagle Road") is a citizen of Oklahoma. It conducts oil and gas operations in this County, and more specifically, owns and operates certain

wastewater disposal wells at issue in this case. Its principal place of business is at 321 South Boston, Suite 300, Tulsa, Oklahoma 74103.

8. Defendant Cummings Oil Company (“Cummings”) is a citizen of Oklahoma. It conducts oil and gas operations in this County, and more specifically, owns and operates certain wastewater disposal wells at issue in this action. Cummings has its principal place of business at 5400 N. Grand Blvd., Suite 100, Oklahoma City, Oklahoma 73112.

9. Defendant Territory Resources, LLC (“Territory”) is a citizen of Oklahoma. It conducts oil and gas operations in this County, and more specifically, owned and operated certain wastewater disposal wells at issue in this action. Territory has its principal place of business at 1511 S. Sangre Rd., Stillwater, Oklahoma 74074.

10. Defendant Enervest Operating, LLC (“Enervest”) is a citizen of Delaware and Texas. It conducts oil and gas operations in the County, and more specifically, owned and operated certain wastewater disposal wells at issue in this action. Enervest has its principal place of business at 1001 Fannin St., Suite 800, Houston, Texas 77002.

11. Defendant Petro Warrior, LLC (“Petro Warrior”) is a citizen of Oklahoma. It conducts oil and gas operations in the County, and more specifically, owned and operated certain wastewater disposal wells at issue in this action. Petro Warrior has its principal place of business at P.O. Box 3399, Wichita, KS 67201.

12. Defendant Petroquest Energy, LLC (“Petroquest”) is a citizen of Louisiana. It conducts oil and gas operations in the County, and more specifically, owned and operated certain wastewater disposal wells at issue in this action. Petroquest has its principal place of business at 400 E. Kaliste Saloom Road, Suite 6000, Lafayette, Louisiana 70508.

13. Defendant Trinity Operating (USG) LLC (“Trinity”) is a citizen of Delaware and Florida. It conducts oil and gas operations in the County, and more specifically, owned and operated certain wastewater disposal wells at issue in this action. Trinity has its principal place of business at 700 Universe Boulevard, Attn. Corp. Gov., Juno Beach, Florida 33408.

14. Eagle Road, Cummings, Territory, Enervest, Petro Warrior, Petroquest, and Trinity are sometimes collectively referred to in this petition as “Defendants.”

**JURISDICTION AND VENUE**

15. Jurisdiction in this Court is proper.

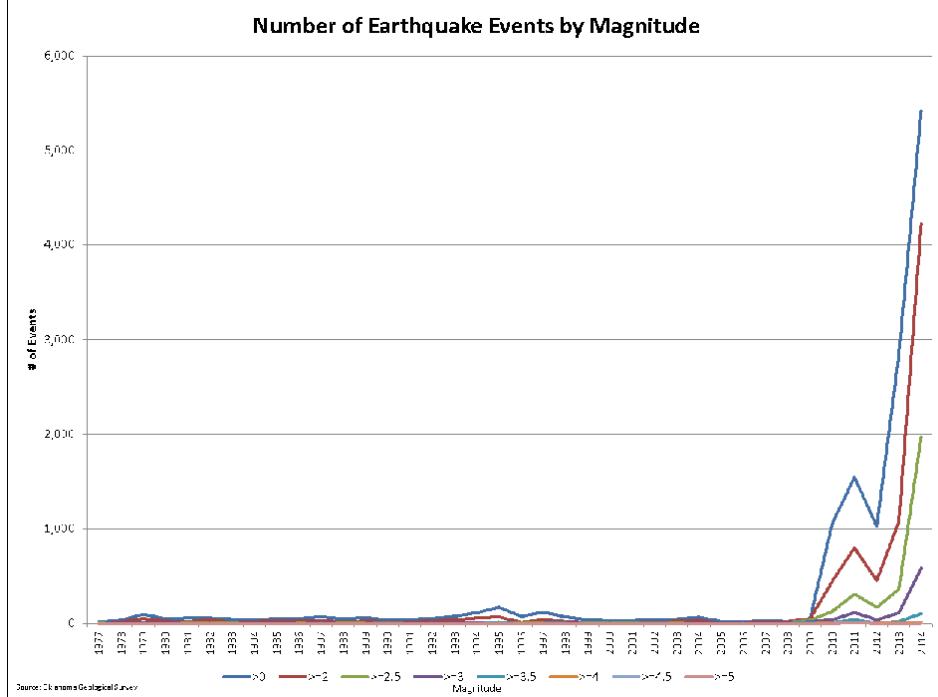
16. This Court also has personal jurisdiction over Defendants as they do substantial business in the State of Oklahoma conducted the wastewater disposal operations that polluted the environment and caused the seismicity at issue and resulting damages to the Nation, and therefore, the Plaintiff.

17. Most of the damaged real properties at issue are on Indian or Tribal Lands held in trust by the United States or have restricted status.

18. Venue is proper in this Court as a substantial part of the events giving rise to these claims occurred here, and most of the Defendants are located in the State of Oklahoma.

## **FACTUAL ALLEGATIONS**

19. In recent years, thousands of earthquakes have occurred in Oklahoma.
20. In fact, Oklahoma is the most seismically active state in the continental United States.
21. Scientists have tied these earthquakes to the disposal of wastewater from fracking operations, which the oil and gas industry uses to release trapped oil and gas.
22. Over the years, the oil and gas industry has issued public statements to hide the seismic problems it is creating, and in fact continued a mantra that their operations did not cause earthquakes.
23. In truth, Oklahoma's earthquakes over the past nine or so years have been caused by the oil and gas industry's disposal of fracking related waste. Some have termed these earthquakes as "induced," "man-made," "human-made," or "frackquakes."
24. The waste fluids generated from fracking are mostly disposed of by injecting the wastewater fluids back into the earth (sometimes under pressure) in what are usually called wastewater disposal wells or injection wells. This process of pollution causes earthquakes, and indeed, have caused the earthquakes shaking Oklahoma since at least 2011, if not back to 2009.
25. In fact, the number of earthquakes in Oklahoma has increased more than 300-fold, from a maximum of 167 before 2009 to 5,838 in 2015.
26. As the number of earthquakes has increased, so has their severity. For example, the number of magnitude 3.5 earthquakes has increased fifty-fold from 4 in 2009 to 220 in 2015. See below:



27. These waste-induced earthquakes have toppled historic towers, caused parts of houses to fall and injure people, cracked basements, and shattered nerves, as people fear there could be worse to come.

28. On March 28, 2016, and revised on June 17, 2016, the United States Geological Survey (“USGS”) published a study quantifying these risks. It found that the earthquake risks in Oklahoma have risen rapidly as a result of deep disposal of production wastes. Oklahoma earthquake risks are now the highest in the nation. Maps included in the report show a broad swathe of the State of Oklahoma has a 5 to 12% likelihood of a highly damaging earthquake in the next year. Petersen, M.D., Mueller, C.S., Moschetti, M.P., Hoover, S.M., Llenos, A.L., Ellsworth, W.L., Michael, A.J., Rubinstein, J.L., McGarr, A.F., and Rukstales, K.S., 2016, 2016 One-year seismic hazard forecast for the Central and Eastern United States from induced and natural earthquakes: U.S. Geological Survey Open-File Report 2016-1035, 52 p., <http://dx.doi.org/10.3133/ofr20161035>.

29. On September 3, 2016, these scientists’ prediction that a more damaging earthquake to Oklahoma was coming proved to be true.

30. On that day, a magnitude-5.8 earthquake shattered Pawnee, Oklahoma. The earthquake's epicenter was about 15 km northwest of the town of Pawnee.

31. This was the largest earthquake that had ever hit Oklahoma.

32. A magnitude-5.8 earthquake is a big one. Oklahoma Geological Survey's Director Jeremy Boak said, "Any time you have a big earthquake like that, you worry about the aftershocks," Boak said. "How big they'll be, how many there will be."

33. All segments of Oklahoma's government, from the Governor to the Director of OGS, agree that Pawnee's 5.8m earthquake was induced by Defendants' wastewater disposal operations and from the injection wells they operate nearby.

34. The 5.8m earthquake near Pawnee on September 3, 2016, was not a naturally occurring earthquake, or an act of God. Instead, the Defendants' pollution of the environment caused it, and the other earthquakes that followed.

35. In the area around Pawnee, there were at least 41 shocks involving magnitude-2.5+ earthquakes before the end of September, 2016.

36. These quakes ranged in magnitude from 2.5m to 3.6, and have all been identified by USGS and shown in the following table:

TIME	MAG	PLACE
2016-09-26T09:09:05.500Z	2.5	13km NW of Pawnee, Oklahoma
2016-09-23T08:28:17.800Z	3	12km NW of Pawnee, Oklahoma
2016-09-18T21:30:52.300Z	2.7	5km N of Pawnee, Oklahoma
2016-09-16T23:02:23.400Z	2.5	13km NW of Pawnee, Oklahoma
2016-09-16T22:28:50.700Z	2.7	10km NW of Pawnee, Oklahoma
2016-09-12T21:39:14.500Z	3	14km NW of Pawnee, Oklahoma
2016-09-12T09:57:28.900Z	2.6	8km NNW of Pawnee, Oklahoma
2016-09-12T05:54:12.700Z	3	8km NNW of Pawnee, Oklahoma
2016-09-11T04:57:16.300Z	2.9	12km NW of Pawnee, Oklahoma
2016-09-10T17:26:45.800Z	2.5	13km NW of Pawnee, Oklahoma
2016-09-09T20:28:01.100Z	2.6	10km NW of Pawnee, Oklahoma

2016-09-08T01:54:16.100Z	2.5	11km NW of Pawnee, Oklahoma
2016-09-07T11:17:39.300Z	2.6	11km NW of Pawnee, Oklahoma
2016-09-07T03:11:55.100Z	2.7	13km NW of Pawnee, Oklahoma
2016-09-04T18:08:11.600Z	2.7	10km NNW of Pawnee, Oklahoma
2016-09-04T16:37:08.100Z	2.8	11km NW of Pawnee, Oklahoma
2016-09-04T12:56:04.900Z	3	11km NW of Pawnee, Oklahoma
2016-09-04T12:16:46.800Z	2.9	12km NW of Pawnee, Oklahoma
2016-09-04T08:48:26.500Z	2.5	13km NW of Pawnee, Oklahoma
2016-09-04T05:44:34.400Z	2.5	9km NNW of Pawnee, Oklahoma
2016-09-04T03:15:56.400Z	3.1	11km NW of Pawnee, Oklahoma
2016-09-03T23:56:36.600Z	3	9km NNW of Pawnee, Oklahoma
2016-09-03T23:17:26.500Z	2.6	7km N of Pawnee, Oklahoma
2016-09-03T18:07:04.400Z	2.5	8km NNW of Pawnee, Oklahoma
2016-09-03T15:31:40.900Z	3.4	11km NW of Pawnee, Oklahoma
2016-09-03T15:25:00.500Z	2.9	9km NNW of Pawnee, Oklahoma
2016-09-03T14:56:32.000Z	2.6	9km NNW of Pawnee, Oklahoma
2016-09-03T14:47:04.200Z	3.3	9km NNW of Pawnee, Oklahoma
2016-09-03T14:35:30.800Z	2.6	13km NW of Pawnee, Oklahoma
2016-09-03T14:07:16.900Z	2.5	9km NW of Pawnee, Oklahoma
2016-09-03T14:05:49.200Z	2.6	9km NW of Pawnee, Oklahoma
2016-09-03T13:49:37.500Z	2.5	9km NW of Pawnee, Oklahoma
2016-09-03T13:06:06.700Z	2.6	13km NW of Pawnee, Oklahoma
2016-09-03T12:58:37.800Z	3.6	13km NW of Pawnee, Oklahoma
2016-09-03T12:57:36.200Z	2.6	12km NW of Pawnee, Oklahoma
2016-09-03T12:39:48.800Z	2.7	11km NW of Pawnee, Oklahoma
2016-09-03T12:36:18.000Z	2.5	11km NW of Pawnee, Oklahoma
2016-09-03T12:32:02.300Z	2.6	9km NNW of Pawnee, Oklahoma
2016-09-03T12:21:25.200Z	2.7	10km NNW of Pawnee, Oklahoma
2016-09-03T12:18:54.000Z	2.6	9km NNW of Pawnee, Oklahoma
2016-09-03T12:16:22.200Z	3.3	3 9km NNW of Pawnee, Oklahoma

37. Defendants' pollution of the environment around Pawnee, through their disposal of fracking wastewater with injection wells, caused the 5.8m earthquake on September 3<sup>rd</sup> and all of the other seismicity shown in the table above.

38. Moreover, the quakes around Pawnee continued into October and November, 2016. In fact, there were eleven more earthquakes, and another substantial earthquake of 4.5m shook the areas around Pawnee on November 2, 2016.

39. The following table shows the earthquakes near Pawnee in October and November, 2016, including the 4.5m earthquake:

TIME	MAG	PLACE
2016-11-14T14:41:50.710Z	3.4	15km W of Cleveland, Oklahoma
2016-11-05T15:40:31.330Z	2.9	2km E of Pawnee, Oklahoma
2016-11-05T09:39:43.990Z	3.7	13km ESE of Pawnee, Oklahoma
2016-11-02T15:10:43.700Z	3.1	12km ESE of Pawnee, Oklahoma
2016-11-02T08:57:02.590Z	2.8	12km ESE of Pawnee, Oklahoma
2016-11-02T04:26:54.200Z	4.5	14km ESE of Pawnee, Oklahoma
2016-10-29T06:06:02.580Z	3.3	9km NW of Pawnee, Oklahoma
2016-10-21T16:50:22.000Z	2.6	12km NW of Pawnee, Oklahoma
2016-10-19T12:04:51.630Z	2.7	11km NW of Pawnee, Oklahoma
2016-10-09T12:23:05.100Z	3.7	11km NW of Pawnee, Oklahoma
2016-10-01T10:58:31.300Z	2.9	8km NNW of Pawnee, Oklahoma

40. All of these earthquakes were also caused by Defendants' pollution of the environment around Pawnee, through their disposal of fracking wastewater with injection wells into the Arbuckle Formation, and caused the Nation to suffer more than \$400,000.00 in physical and market value damages to its historical government buildings.

41. The Nation filed an insurance claim with Steadfast for these damages, and Plaintiff paid the Nation \$324,269.98 pursuant to the terms of its insurance agreement with the Nation.

42. Eagle Road and Enervest operated five disposal wells in the area that polluted the Arbuckle with fracking waste. The five disposal wells, known as the Carter, George, Norman, Ripley SWD, and Will, wells, dumped a cumulative volume of more than 700 million gallons of wastewater over the past 12 years into the Arbuckle, and such pollution was a proximate cause of the magnitude-5.8 earthquake near Pawnee on September 3, 2016, and the other seismicity at issue in this pleading.

43. Territory operated seven disposal wells in the area that polluted the Arbuckle with fracking waste. The disposal wells, known as Endicott “D”, Hegco Brett, Nemaha, Oldham, Prucha, Triangle, and TrueBlood, dumped a cumulative volume of more than 3.7 billion gallons of wastewater over the past 12 years into the Arbuckle, and such pollution was a proximate cause of the magnitude-5.8 earthquake near Pawnee on September 3, 2016, and the other seismicity at issue in this pleading.

44. Petro Warrior operated two disposal wells in the area that polluted the Arbuckle with fracking waste. The disposal wells, known as Scroggins (well number 1 SWD) and Wildhorse SWDW, dumped a cumulative volume of more than 505 million gallons of wastewater over the past 12 years into the Arbuckle, and such pollution was a proximate cause of the magnitude-5.8 earthquake near Pawnee on September 3, 2016, and the other seismicity at issue in this pleading.

45. Cummings operated two disposal wells in the area that polluted the Arbuckle with fracking waste. The disposal wells, known as Pawco and Rogers, dumped a cumulative volume of more than 505 million gallons of wastewater over the past 12 years into the Arbuckle, and such pollution was a proximate cause of the magnitude-5.8 earthquake near Pawnee on September 3, 2016, and the other seismicity at issue in this pleading.

46. Petroquest and Trinity operated four disposal wells in the area that polluted the Arbuckle with fracking waste. The disposal wells, known as Leforce, Scroggins (well number 1 SWD), Stricker, and Trigg (Donahoe #1), dumped a cumulative volume of more than 297 million gallons of wastewater over the past 12 years into the Arbuckle, and such pollution was a proximate cause of the magnitude-5.8 earthquake near Pawnee on September 3, 2016, and the other seismicity at issue in this pleading.

## **CLAIMS FOR RELIEF**

### **CLAIM I**

#### **ABSOLUTE LIABILITY**

47. Plaintiff hereby re-alleges and incorporates the foregoing Paragraphs as if fully set forth herein, word-for-word.

48. Defendants' actions described above are ultrahazardous activities that necessarily involve a risk of serious harm to a person that cannot be eliminated by the exercise of the utmost care and is not a matter of common usage.

49. Defendants conducted wastewater disposal operations in locations near Pawnee. These operations contributed to the 5.8m earthquake near Pawnee on September 3, 2016, as well as the other seismicity identified in this petition.

50. Since 2015, it has been admitted by Oklahoma's government that all of Oklahoma's seismicity since 2009 is due to wastewater injection operations into Oklahoma's Arbuckle Formation, which resides very deep below Oklahoma's surface. Indeed, in early-August 2015, more than a year before the 5.8m Labor Day weekend quake near Pawnee, Governor Mary Fallin, the Oklahoma Secretary of Energy and Environment Michael Teague, and the Governor's Coordinating Counsel on Seismic Activity acknowledged a "direct correlation" between Oklahoma's seismicity and wastewater disposal.

51. Eagle Road's, Enervest's, Cummings', Territory's, Petro Warrior's, Petroquest's, and Trinity's millions of gallons of wastewater disposal operations into the Arbuckle under Pawnee created a high degree of risk of some harm to persons, commercial buildings, homes, and/or the chattels of others in the areas within and surrounding Pawnee.

- a) It is known that earthquakes can cause substantial injuries to people, and in fact prior to the 5.8m earthquake near Pawnee, Sandra Ladra of Prague, Oklahoma, sued two oil and gas companies for substantial personal injuries to her knees when rocks on her fireplace fell during a 5.7m wastewater disposal induced earthquake near Prague hit in November of 2011. With respect to Oklahoma's largest earthquake, the 5.8m quake at issue here and near Pawnee, Anna Mercer sustained substantial injuries during it and is permanently disabled.
- b) Moreover, after the Governor, the Secretary of Energy and Environment, and the Seismicity Council acknowledged the "direct correlation" between Oklahoma's seismicity and fracking wastewater disposal, several schools in Oklahoma began to educate their students on earthquake preparedness, and also implemented safety drills – further support that wastewater induced seismicity involves a substantial risk of harm.
- c) Oklahoma's seismicity, all of which since 2009 has been determined to be induced by wastewater injection, has caused millions of dollars in damages to properties around the state. High profile cases involve over \$2 million in damages to St. Gregory's iconic building Benedictine Hall, and the Lions Club's building in Cushing. The Prague induced quakes of November 2011 toppled one of St. Gregory's Benedictine Hall's four towers. And the Cushing induced earthquakes of November 2016 resulted in the total destruction of the Lions Club's century-old building.

- d) In Pawnee, for example, Defendants' induced earthquakes have totaled the home of Johnny and Janice Bryant, and of course, have caused hundreds of thousands of dollars in damages to government buildings of the Pawnee Nation.
- e) Further, Defendants' wastewater disposal operations have caused substantial personal injury.
- f) The former seismologist for the State of Oklahoma at Oklahoma Geological Survey, Dr. Austin Holland, has testified in other human-induced earthquake litigation in Oklahoma, that disposal of fracking wastewater into the Arbuckle Formation below Oklahoma is unreasonably dangerous, will cause earthquakes, and thus, in an ultrahazardous activity.
- g) Plaintiff has also retained a geophysicist that has opined that Defendants' wastewater operations are ultrahazardous.
- h) There is an obvious high degree of risk of some damage to persons, homes, and other properties due to wastewater disposal operations that create earthquakes, and the likelihood that harm will result from induced seismicity is great.

52. There is an inability to eliminate the risks detailed above with the exercise of reasonable care as to the Defendants' actions of disposing of millions of gallons of wastewater in the Arbuckle and near a fault line – an induced earthquake is inevitable and is a known consequence to those that dispose of these wastes in this manner, scientifically. Even Defendants' compliance with government licensing and/or regulations does not eliminate the risk of causing seismicity and

resulting harm to persons and property, and moreover, is no bar to the application of absolute liability principles under Oklahoma law.

53. Wastewater disposal operations, especially into Oklahoma's Arbuckle and near faults, are not a matter of common usage, and indeed, are analogous to activities routinely considered as ultrahazardous such as blasting, demolition operations, the use, transport, or storing of hazardous chemicals, and the controlled burning of fields. All of these activities involve inherent risks, and are certainly not "normal to the average man."

54. It is inappropriate to dispose of millions of gallons of fracking wastewater into Oklahoma's Arbuckle Formation, especially in areas where there are fault lines nearby. Such activity unavoidably involves unreasonable risk.

55. While fracking wastewater disposal is a necessary part of oil and gas exploration and is of a value to the community, such is outweighed by its dangerous attributes – especially when such operations involve such huge volumes of wastewater, disposed of deep into the Arbuckle Formation, and near fault lines, and that result in devastating seismicity.

56. Indeed, two geophysicists have opined that wastewater disposal into Oklahoma's Arbuckle Formation is an ultrahazardous activity. The first geophysicist to render such an opinion was the State of Oklahoma's seismologist during the years of all of this induced seismicity, Dr. Austin Holland. In the fall of 2017, Dr. Holland opined, under oath in deposition testimony in another induced seismicity class action case related to the Prague earthquakes of November 2011, that wastewater disposal into the Arbuckle Formation was an ultrahazardous act. Likewise, Dr. Wayne Pennington, also a geophysicist, has the same opinion that disposal of fracking waste into the Arbuckle constitutes an ultrahazardous activity. His opinion has been offered in his deposition taken by Eagle Road and Cummings Oil in May of 2018.

57. As a direct and proximate result of Defendants' ultrahazardous activities, Plaintiff has suffered damages in the form on insurance payments to the Nation to which Defendants are strictly liable.

## **CLAIM II**

### **NEGLIGENCE**

58. Plaintiff re-alleges and incorporates the foregoing Paragraphs, as if fully set forth herein, word-for-word.

59. The Defendants owed a duty to Plaintiff to use ordinary care and not to operate or maintain their injection wells in such a way as to cause or contribute to seismic activity. Defendants, experienced in these operations, were well aware of the connection between injection wells and seismic activity, and acted in disregard of these facts.

60. As a direct and proximate result of these facts, omissions, and fault of the Defendants, the Plaintiff has suffered damages in the form on insurance payments to the Nation to which Defendants, which were reasonably foreseeable to the Defendants.

## **CLAIM III**

### **PRIVATE NUISIANCE**

61. Plaintiff re-alleges and incorporates the foregoing Paragraphs, as if fully set forth herein, word-for-word.

62. Defendants' conduct constitutes a private nuisance.

63. Plaintiff, via its insurance agreement with the Nation, had property rights and privileges regarding the use and enjoyment of their buildings, homes, land and personal property. Defendants' actions and operations as described above have unlawfully and unreasonably interfered with those rights and privileges.

64. Plaintiff has suffered damages in the form on insurance payments to the Nation to which Defendants, which were reasonably foreseeable to the Defendants.

**CLAIM IV**

**TRESPASS**

65. Plaintiff re-alleges and incorporates the foregoing Paragraphs, as if set forth herein, word-for-word.

66. Plaintiff, via its insurance agreement with its insured, is lawfully entitled to possession of its insured properties.

67. Defendants, without the permission or consent of Plaintiff, and without legal right, intentionally engaged in activities that resulted in concussions or vibrations entering Plaintiff's properties. Such unauthorized invasion of their properties constitutes a trespass.

68. Because of Defendants' trespass, Plaintiff has suffered damages in the form on insurance payments to the Nation to which Defendants, which were reasonably foreseeable to the Defendants.

**DEMAND FOR JURY TRIAL**

69. Plaintiff respectfully demands a trial by jury.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests the following relief:

- i. judgment against each Defendant awarding damages for the amounts it paid its insured;
- ii. pre-judgment and post-judgment interest; and,
- iii. all other relief to which Plaintiff is entitled or that the Court deems just and proper.

DATED: August 31, 2018

Respectfully Submitted,

/s/ Curtis “Muskrat” Bruehl

Curtis “Muskrat” Bruehl, OBA No. 19418

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